

JUN 23 2011

Board of Vocational Nursing
and Psychiatric Technicians

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General
ANAHITA S. CRAWFORD
Deputy Attorney General
State Bar No. 209545
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Telephone: (916) 322-8311
Facsimile: (916) 327-8643
Attorneys for Complainant

**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. VN-2009-713

**MARY ANNE HIBSCH
P.O. Box 234
Williams, CA 95987
Vocational Nurse License No. VN 197012**

A C C U S A T I O N

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs.

2. On or about October 16, 2001, the Board of Vocational Nursing and Psychiatric Technicians issued Vocational Nurse License Number VN 197012 to Mary Anne Hibschi (Respondent). The Vocational Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2011, unless renewed.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with Order to Compel Psychiatric Examination)**

3 9. Respondent is subject to disciplinary action under section 821 in that Respondent has
4 failed to comply with the Board's Order to Compel Psychiatric Examination pursuant to section
5 820. The circumstances are as follows:

6 10. On or about December 1, 2010, the Board filed a Petition for an Order to Compel
7 Respondent to undergo a Psychiatric Examination. On or about February 11, 2011, the Board
8 ordered Respondent to undergo a psychiatric evaluation by Marcy 13, 2011. Respondent has
9 failed to undergo a psychiatric examination.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Criminal Conviction)**

12 11. Respondent is subject to disciplinary action under section 2878, subsection (f) in that
13 Respondent has been convicted of a crime. The circumstances are as follows:

14 12. On or about February 23, 2010, in the criminal proceeding titled *People v. Mary Anne*
15 *Hibsch* (Super. Ct. Colusa County, 2010, Case No. CR51306), Respondent pled guilty to
16 violating Penal Code section 166, subdivision (a)(4) (disobeying a court order, a misdemeanor).
17 On April 13, 2010, the imposition of sentencing was suspended and Respondent was placed on
18 summary probation for 12 months (through April 13, 2011), on terms and conditions, including
19 that she obey all restraining orders still in force. The court order at issue is as follows:

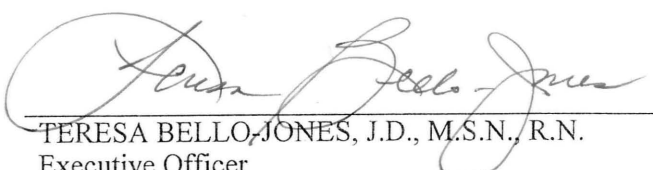
20 a. On or about November 30, 2009, at approximately 0955 hours, an officer with the
21 Williams Police Department ("PD") was dispatched to a private residence regarding a restraining
22 order violation. Upon arrival, the officer contacted B. H. B. H. stated that on November 29,
23 2009, at approximately 2323 hours, she received a phone call on her cell phone from her mother
24 (Respondent). The officer listened to the message and identified the voice as that of Respondent.
25 Respondent stated "I'm a leader of God and not of Satan" and "E. H. is sleeping with many
26 women and they will all get the AIDS virus." The officer determined that Respondent had
27 violated the restraining order in Colusa County Superior Court, Case Number CV23706, by
28 contacting B. H. by cell phone.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians issue a decision:

1. Revoking or suspending Vocational Nurse License Number VN 197012, issued to Mary Anne Hibschi;
2. Ordering Mary Anne Hibschi to pay the Board of Vocational Nursing and Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: June 23, 2011


TERESA BELLO JONES, J.D., M.S.N., R.N.
Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant

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Exhibit A
Order Compelling Psychiatric Examination

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8 **BEFORE THE**
9 **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Compel Psychiatric
12 Examination of:

13 **MARY ANNE HIBSCH**
14 **P.O. Box 234**
15 **Williams, CA 95987**
16 **Vocational Nurse License No. VN 197012**

Respondent.

Case No. VN-2009-713

ORDER

**(PETITION FOR AN ORDER TO
COMPEL PSYCHIATRIC
EXAMINATION)**

(Bus. & Prof. Code § 820)

17 Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer of the Board of Vocational
18 Nursing and Psychiatric Technicians ("Board"), Department of Consumer Affairs, having
19 considered the Petition for an Order requiring Mary Anne Hibschi ("Respondent"), Vocational
20 Nurse License No. VN 197012, to be examined by a physician and surgeon specializing in
21 psychiatry, or by a psychologist, pursuant to Business and Professions Code section 820, and it
22 appearing that Respondent may be mentally and/or physically ill to the extent that her condition
23 affects her ability to practice nursing safely.

24 **IT IS NOW THEREFORE ORDERED** pursuant to Business and Professions Code
25 section 820:

26 1. That Respondent shall submit to an examination to be conducted by a physician
27 and surgeon specializing in psychiatry, or by a psychologist selected by the Board, or its

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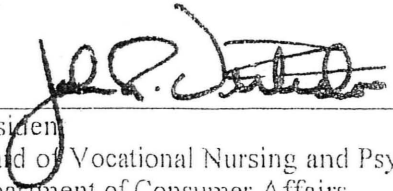
1 designee, to determine whether she is mentally and or physically ill to such an extent as to affect
2 her ability to practice nursing safely;

3 2. That the examination of Respondent shall be conducted at a time mutually
4 convenient to Respondent and the examiner selected by the Board, but in no case later than thirty
5 (30) days after the service of this Order;

6 3. That the examination shall continue from day to day until completed, and shall
7 include any and all examinations and tests ordered and/or conducted by the examining
8 psychiatrists or psychologists as considered necessary in their professional judgment, and the
9 results of said examination shall be reported by the examiner, in a detailed written report, setting
10 forth his/her findings and conclusions, which report shall be delivered to the Executive Office of
11 the Board of Vocational Nursing and Psychiatric Technicians, with a copy of said report to the
12 Respondent; and,

13 4. That the failure by Respondent to comply with this Order by either refusing or
14 failing to cooperate with the examiner shall constitute grounds for disciplinary action against
15 Respondent's vocational nurse license pursuant to Business and Professions Code section 821.

16 IT IS SO ORDERED this 11th day of February, 2011.

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19 President
20 Board of Vocational Nursing and Psychiatric Technicians
21 Department of Consumer Affairs
22 State of California
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